



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/277,298	03/26/1999	GEORGE E. CARTER	99P7519US	3318

7590 03/20/2003

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVE SOUTH
ISELIN, NJ 08830

EXAMINER

ARANI, TAGHI T

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 03/20/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/277,298

Applicant(s)

CARTER, GEORGE E.

Examiner

Taghi T. Arani

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-31 is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 15-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claims 1-3, 8-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Satio et al. U.S. Pat. No. 6,125,186, filed July 1997.

Claims 13 and 14 remain rejected under 35 U.S.C. 102 (2) as being anticipated by Chapp et al., U.S. Pat. No. 2002/0087761, issued Jul. 2002 as applied in the previous office action, see page 6 and 7.

Claims 1,8 and 11 are amended to add the feature “concurrently”.

This feature is taught by Satio, see col, 3, lines 44-50. Satio teaches that applications include telephone, television conferences, video transmission, etc., all of which require real-time (i.e. concurrent) processing.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-5 remain rejected over Satio and Crick et al. as addressed in the previous office action, see page 4, paragraph 6 through page 6 4th paragraph.

Art Unit: 2131

Claim 12 is amended to reflect the feature “more than a single type of telephony client may be implemented concurrently”

Claim 12 recite all limitations of claims 1-4. Claim 12 is rejected for the same reasons provided in the rejection of claims 1-4 above.

Allowable Subject Matter

Claims 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 21-31 are allowed over prior art.

Response to Amendment

Applicant's arguments filed 1/7/2003 regarding the rejection of the claims 1-13 under 35 U.S.C. 103(a) and 102 (e) have been fully considered but they are not persuasive. Applicant's attempt to distinguish the claims from prior art is based on noting the lack of a teaching of “MORE THAN A SINGLE TYPE” of applications by the Primary reference Satio cited by the Examiner, see Page 5, first Paragraph.

The Examiner disagrees. In fact, Satio's Encryption communication system explicitly teaches that the trusted agent consist of an application interface section to absorb differences due to different operating systems when API depends on the operating system, see col. 4, lines 54-65. That is to say, the API of Satio as part of an application depends on the operating system and different operating system inherently require different client application.

The Applicant argues that Crick and Kavsan references “fail to teach or suggest inserting a security algorithm within a communication path of different types”, see page 5, second paragraph. The Examiner responds that Crick and Kavsan are 103 references and were not used for a 102 type rejection.

AS per Applicant’s argument relating to rejection of claims 13 and 14, Applicant argues that Chapp fails to teach or suggestcomputer code for encrypting the received audio signals independently of the formatting module”, see page 6, second paragraph.

The Examiner disagrees. Chapp’s compression and decompression chips (i.e. CODEC chip for formatting signals) encode and decode audio and video signals in accordance with internationally recognized video conferencing standard such as H.320 and audio compression standards G.711, G712, G728 etc., see page 5, paragraph 48, and that the formatting and presentation of source and remote video image is controlled by the host processor and by cooperation of the host and the visual conferencing application software, see page 5, paragraph 47 .

Applicant does not provide any argument regarding lack of a motive to combine the reference. Applicant merely points out that the features are not suggested or taught. This does not constitute a proper challenge to the combination of references.

Action is Final

THIS ACTION IS FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2131

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from examiner should be directed to Taghi Arani, whose telephone number is (703) 305-4274. The examiner can normally be reached Monday through Friday from 7:30 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gail Hayes, can be reached at (703) 305-9711. The Fax numbers for the organization where this application is assigned are:

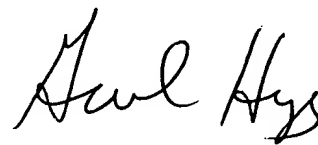
After-final (703) 746-7238

Official (703) 746-7239

Non-Official/Draft (703) 746-7240

Taghi Arani

Patent Examiner



**GAIL HAYES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100**